

### REMARKS

Claims 1-11 are pending. By this response, claims 1, 5, 10 and 11 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-11 under 35 U.S.C. § 102(e) as being anticipated by Haraguchi et al. (U.S. 6,222,613). This rejection is respectfully traversed.

Claims 1, 5, 10 and 11 have been amended to recite, inter alia, performing image processing by determining the image processing conditions for tone conversion and color correction based on the default processing conditions and/or the processing conditions corresponding to the model of digital camera, the determination including the steps of: converting red (R), green (G), and blue (B) data of said image data by logarithmic conversion; modifying the converted logarithmic R,G,B data by tone processing the converted logarithmic R,G,B data using processing conditions associated with the default processing conditions and/or the processing conditions corresponding to the model of digital camera; converting the tone corrected image data by performing lightness (L), chroma (C), and hue angle (H) conversion; and modifying the LCH data by color correction processing to obtain color corrected image data.

Applicant respectfully submits that Haraguchi fails to teach the above features of Applicant's independent claims.

Haraguchi, in contrast to the present invention, teaches an image processing apparatus that stores only image processing conditions for particular camera types. See col. 10, lines 62-66. Haraguchi teaches a resolution converter (size converter) in which a fixed size for an input image

is predetermined. Each image input into the system of Haraguchi is converted to this predetermined size. See Haraguchi Abstract in col. 9, lines 10-15.

The Examiner alleges that the resolution converter corresponds to Applicant's claimed default processing conditions. The Examiner states in the section titled "Response to Arguments" that:

[I]mage size and resolution can be viewed as characteristics of an image. The examiner points out that the claim is written broadly and merely claims modifying features and characteristics of the image and does not specify what features and characteristics are being modified ... it is noted that the features upon which applicant relies (i.e., modifying features and characteristics of the image wherein the features and characteristics are color enhancement and tone control) are not recited in the rejected claim(s).

Applicant notes that Applicant's independent claims have been amended to define the tone and color enhancement as it relates to the image processing conditions.

Applicant respectfully submits that Haraguchi's resolution converter cannot correspond to the claimed features of tone conversion and color conversion. Applicant respectfully submits that the resolution converter processing is directed solely to resolution conversion of an image and is not directed to modification of tone and color characteristics of the image.

Further, Applicant respectfully submits that Haraguchi's processing conditions do not process tone and color correction using the claimed process including logarithmic conversion and LCH conversion. Haraguchi's system process image data for color and density compensation. However, the claimed manner noted above is not used, nor is tone conversion taught.

Therefore, Haraguchi fails to teach all the features of independent claims 1, 5, 10 and 11 as required.

Therefore, for the above reasons, Applicant respectfully submits that Haraguchi fails to teach each and every feature of the claims as required. Reconsideration and withdrawal of this rejection is respectfully requested.

### **CONCLUSION**

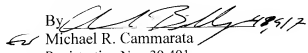
For at least reasons, it is respectfully submitted claims 1-11 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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